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QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

RIGHTS OF THE CHILD

Letter dated 20 October 1995 from the Permanent Representative of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

Upon instruction of my Government, I have the honour to transmit, enclosed herewith, the letter of Mr. Dušan Zlokas, Head of the Representative Office of Gorski Kotar Serbs, addressed to the United Nations Secretary-General, H.E. Mr. Boutros Boutros-Ghali, and to ask you to kindly submit copies of this letter to all the members of the Commission, to the Special Rapporteurs on the question of religious intolerance and on torture, as well as to the Working Group on Arbitrary Detention.

We would request that the two letters be published as official documents of the next, forty-second session of the United Nations Commission on Human Rights, under items 8, 10 and 20.

The enclosed letter contains examples of different types of harassment and violation of human rights of the Serbs in their last enclave in the Republic of Croatia. On several occasions, in its Memoranda, my Government has already referred to the situation in that region, wrought by tensions.

In particular, I should draw your attention to the violation of the basic human rights provided for under the provisions of international instruments covering this field:

- the right to liberty and security of person (guaranteed under article 9 of the International Covenant on Civil and Political Rights), since so-called informative talks are often held with prominent Serbs who are summoned by police. On such occasions, these persons are regularly exposed to torture (in contravention of art. 10 of the Covenant, whereby humane treatment is guaranteed even in cases of denying or restricting freedom of movement, and the spirit and of the provisions of the Convention against Torture);

- denial of the right to privacy, family and home, arbitrary and unlawful interference with which is explicitly banned under article 17 of the Covenant. The Croatian authorities are regularly making incursions into Serb homes, carrying out searches, enforcing the state of emergency (with permanent patrolling of Gomirje and Dreznica) based exclusively on discrimination against the Serb population, thus violating article 4 of the Covenant;

- the Serbs are being forcibly drafted into the Croatian Army, to fight against the Serbs in other parts of the former Yugoslavia, which is in contradiction with their conscience and religion, thus violating article 18 of the Covenant (guaranteeing the freedom of thought, conscience, and religion);

- religious rights of children are in particular being violated (art. 14 of the Convention on the Rights of the Child), as well as the special rights of the children of minority population to enjoy their cultural and religious rights and to use their own language (art. 30 of the Convention on the Rights of the Child), since they have imposed upon them teaching in the Croat language, regardless of the Croat Sabor decision that teaching in the Serbian language be permitted in the Gorski Kotar region;

- blackmailing the Serbs, whereby they may carry out their economic activities on condition that they convert to the Catholic religion, involves violating not only their right to freedom of religion, but also their right to equal possibilities of enjoying their economic, social and cultural rights regardless of their national, religious or other origin, as guaranteed under the International Covenant on Economic, Social and Cultural Rights (art. 2);

- the right of the Serbs to freedom of thought, conscience and religion and to worship, in harmony with their religion (art. 18 of the International Covenant on Civil and Political Rights), is also

in jeopardy through direct interference and the decision by the Croat authorities and President F. Tudjman to impose upon them the so-called Croat Orthodox Church.

Concurrently, all the above measures are also in direct violation of the principles and provisions of the International Convention on the Elimination of All Forms of Racial Discrimination, since they are founded exclusively on discrimination upon ethnical and religious bases.

(signed) Mr. Vladimir Pavicevic
Ambassador

Letter from the head of the representative office of Gorski Kotar Serbs addressed to the Secretary-General of the United Nations

With reference to the developments which have taken place after the visit by Mr. Gert Aarhens, Minority Representative of the Conference on Yugoslavia to Gorski Kotar in September 1995, I wish to let you know that the situation in that region registered a short-lived improvement. Regrettably, the repression by the Croatian authorities has of late increased once again both in scope and in brutality.

The Croatian military and police authorities keep inviting the Presidents of the Gorski Kotar local communities for informal talks. In the course of such talks our representatives, who are subjected to untold harassment and humiliation, are requested to hand over weapons, even though they know full well that there are no military armaments or equipment in the area of Gorski Kotar. All this has a very adverse effect on the general security of the Serb population, for not even their representatives are spared police torture. This is a clear indication that the Croatian authorities wish to conduct ethnic cleansing even in this last Serb enclave in the Republic of Croatia.

In addition, members of Croatia's Ministry of the Interior, enter each and every house at Gomirje, Srpske Moravice, Jasenko and Drežnica demanding the hand-over of weapons, molest, harass and threaten the population by saying that they will have to "go with the Chetnicks from Krajina to Serbia. because this is Croatia".

Serb young men from Gorski Kotar, who are "recruits", are being taken by force by the Croatian Army and subjected to the worst kind of harassment, and ill-treatment.

Instead of ensuring the improvement of the situation in these parts, the Croatian police has established regular patrols both in Gomirje and at Drežnica, where there have not been any until recently.

Croatian high-ranking officials - Boljkovac, Manolić, Brezak, Valentić - pay regular visits to the local communities of Gorski Kotar.

There were a total of eight local communities in the Gorski Kotar area before the war which have since been broken up into two or three each. Thus,

Gomirje, a place with a population of 2,000, comprises 36 villages and has been split up into three local communities.

More affluent Serbs are being given loans and permits to purchase and establish enterprises on the condition that they convert to Catholicism.

All this can produce divisions among the population living in such places.

Nothing has been done to execute the decision taken by the Croatian Parliament to enable Serb children in Gorski Kotar to receive schooling in the Serbian language.

By pursuing such a policy, the Croatian authorities have managed to create a circle of men including Djukić, Pupovac, Tatalović, Č. Pavlović, Serbs from those parts, who only transmit "proper" information to international organizations i.e. that which plays into the hands of the Croatian authorities.

According to the Croatian Prime Minister N. Valentić, the Society of Serbs in Croatia "Prosvjeta", whose head office was established in line with a relevant decision by the Croatian authorities in the Gomirje Monastery, receives DM 1,200,000 in grants a year. This is true; however, the money goes for paying certain services as, for example, the above-mentioned statements.

The Serb Orthodox Church in Croatia has three or four priests and the Gomirje Monastery with eight nuns. According to the decision of the Croatian Government and of Franjo Tudjman, this church will become the Croatian Orthodox Church before the end of this year, and Croatian television broadcasts already mention the "Croatian Orthodox Monastery Gomirje".

On behalf of the population of Gorski Kotar, the Serb Representative Office takes this opportunity to once again lodge its strongest protest against such practices with the international organizations.

Expecting that you will take the necessary steps to halt any further deterioration of the situation in Gorski Kotar, please accept the assurances of my highest consideration.

(signed) Dušan Zlokas
Representative Office Head